

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND**

**In re: ISAIAS L. TERRERO and :  
ACELIA A. TERRERO, :  
Debtors, :  
:** **BK No. 1:07-bk-10230  
:** **Chapter 13**

**SUPPLEMENTAL AFFIDAVIT OF BRIAN DAVIS**

I, Brian Davis, under the pains and penalties of perjury, hereby declare and state as follows:

1. I am an Asset Manager for Midland Loan Services, Inc., and as such, have personal knowledge over all facts attested to in this affidavit unless otherwise noted.
2. Midland Loan Services, Inc. services a Mortgage held by Wells Fargo Bank, N.A., as Trustee for CBA Commercial Assets, Small Balance Commercial Mortgage Pass-Through Certificates, Series 2005-1, secured by a Mortgate (the "Mortgage") dated August 28, 2005, from Isaias L. Terrero and Acelia A. Terrero (collectively "Debtors") covering real estate located at 1137 Broad Street and 12 Corinth Street, Providence (Plat 53, Lots 196 & 197), Rhode Island. I am currently responsible for management of the Mortgage.
3. Since the date of filing of Wells Fargo's Renewed Motion for Relief From Stay, two events have caused the post-petition arrearage amount to increase.
4. First, the City of Providence accelerated tax payments due on the property as a result of non-payment of first quarter taxes. A true and accurate bill reflecting the amount currently due is attached hereto as Exhibit 1.
5. Second, Debtors failed to make their November 2007 mortgage payment, which is now overdue. Late fees assessed for October 2007 and November 2007 are past due. In

addition, due to Debtors' continued failure to make prompt payment, the attorney's fees related to securing overdue payments have been amended to reflect the amount currently due as of the date of this supplemental affidavit. As a result, the current post-petition arrearage is as follows:

Taxes due --	\$22,969.21
Insurance --	2,316.27
October Late Fee --	240.92
November Payment --	6,560.69
November Late Fee --	240.92
<u>Attorney's Fees --</u>	<u>2,105.00</u>
Total Due --	\$34,433.01

6. Wells Fargo has continued to communicate the issues related to the underfunded escrow and Debtors' missed mortgage payments to Debtors' counsel, including, most recently, a letter dated November 21, 2007.

7. The past-due amounts listed in Paragraph 5, above, place Debtors in default on their Mortgage.

Signed under the pains and penalties of perjury this 26th day of November, 2007.

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Brian Davis